

SER-012-003

Strathcona County
Municipal Policy Handbook

Municipal Land Licensing Program

Date of Approval by Council: 02/23/88; 11/07/06
02/08/2011

Resolution No: 151/88; 688/2006
81/2011

Lead Role: Chief Commissioner

Replaces: 50/55/007

Last Review Date: February 8, 2011

Next Review Date: 02/2014

Administrative Responsibility: Planning & Development Services

Special Notes: The Municipal Government Act, RSA 2000, c.M-26, as amended or replaced from time to time, provides that a municipality or a municipality and a school authority may authorize the maintenance and protection of reserve land and other municipally owned lands, if the interests of the public will not be adversely affected.

Policy Statement

County held lands shall be maintained in the most cost effective manner and where feasible and possible foster agricultural utilization. There shall be in place a process outlining management of municipal reserve lands and other municipally owned lands by private party utilization.

Definitions

License – means a permit or personal privilege for use of or entry upon land to do some acts or series of acts without possessing any estate therein.

Licensee – means the one who has acquired the right to enter upon and use the land pursuant to the terms of the license.

Municipally Owned Land – means all land specified as municipal, school or environmental reserve, all land owned by the County which acquisition was funded by the Public Reserve Trust Account, all land from which the reserve designation has been removed, and all other land registered at the Land Titles Office as standing in the name of the municipality.

Guidelines

1.0 Licensing Process

1.1 Evaluation

The County shall review annually the land inventory with the appropriate Departments to determine which lands will be available for tender.

1.2 Public Tender for License

1.2.1 The County shall prior to January of each year, tender those parcels of land which have been determined in accordance with item 1.1 to be available for license.

- 1.2.2 The municipal land license tender shall be advertised in two consecutive editions of the paper having a general circulation in the County, the last publication to be a minimum of 15 days prior to tender opening date.
- 1.2.3 Tenders will be submitted in accordance with the terms contained within the Tender Package.
- 1.2.4 The County has the right to accept or reject any and all bids and waive irregularities and informalities at its discretion.
- 1.2.5 The County may consider any other factor besides price that it deems in its sole discretion to be relevant to its decision.
- 1.2.6 At the discretion of the County, parcels which have not received bids by this tender process will be offered on a first come, first serve basis to the public.

Roles and Responsibilities

The Manager of Planning and Development Services is responsible to:

- 1. ascertain, in consultation with Transportation and Agricultural Services and Engineering and Environmental Planning, the need to retain the management of specific parcels due to weed concerns or biological diversity concerns.
- 2. tender in accordance with the policy, those parcels of municipally owned land which are not required by various County departments for specific use or a defined purpose by the public in order that they may be appropriately maintained.
- 3. coordinate and administer the licensing program pursuant to this procedure.
- 4. revise the standard form of agreements and tender package referred to in this Policy as may be required from time to time.

The Manager of Transportation and Agricultural Services is responsible to:

- 5. advise of those properties which have not been adequately maintained or utilized by a person holding a license.
- 6. determine those properties which should be broken/cultivated in accordance with good agricultural practices.
- 7. review all Management Plans submitted under the tender program.

The Manager of Engineering and Environmental Planning is responsible to:

- 8. advise of those properties which have not been adequately maintained or utilized by a person holding a license.
- 9. determine those properties which should be removed from the program due to natural restoration from agricultural to natural.
- 10. review all Management Plans submitted under the tender program.

Procedures

Procedures have been developed by administration to ensure effective implementation of this policy.